

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of Section 63.71 Application of

Affiniti, LLC and Affiniti PA, LLC for
Authority Pursuant to Section 214 of the
Communications Act to Discontinue its
Wireline Telecommunications Services

File No. _____

SECTION 63.71 APPLICATION

Affiniti LLC and Affiniti PA, LLC (“Affiniti”) hereby seek authorization pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and Section 63.71 of the Commission’s Rules, 47 C.F.R. § 63.71, to discontinue provision of its domestic wireline telecommunications services (“Discontinued Wireline Services”) on or before June 30, 2019 in Colorado and Pennsylvania (“Wireline States”).

The impact on the public of this discontinuance will be minimal because there is a small number of subscribers for the Discontinued Wireline Services and many carriers offer equivalent services in the affected states. The total number of customers affected by this planned discontinuance currently receiving the Discontinued Wireline Services is 10, with only one customer in Colorado, and nine in Pennsylvania. Other entities available to provide wireline services in the affected states include Verizon, and CenturyLink, which are national carriers whose services are widely available.

In support of this Application, Affiniti provides the following information.

I. Information Required by 47 C.F.R. § 63.71(a)(1) – (a)(4)

1. Name and Address of Carrier

Affiniti, LLC
Affiniti PA, LLC
9208 Waterford Centre Boulevard, Suite 150
Austin, TX 78758

Point of Contact Regarding the Application

Danielle Frappier
Davis Wright Tremaine, LLP
1919 Pennsylvania Avenue, NW Suite 800
Washington DC 20006
daniellefrappier@dwt.com
(202) 973-4242

2. Date of Planned Service Discontinuance

Affiniti plans to discontinue the provision of the Discontinued Wireline Services on or before June 30, 2019, but no earlier than 31 days after the Commission releases public notice of this filing.

3. Points of Geographic Areas of Service Affected

Affiniti is discontinuing the Discontinued Wireline Services, as described above, in the Wireline States. Affiniti is following the appropriate state law for discontinuance of these services in each state, and will assist affected subscribers during their transition to alternative service providers.

4. Description of Type of Service Affected

The Discontinued Wireline Services consist of wireline transport and SIP trunking services provided to business subscribers. Affiniti provides the wireline telecommunications services pursuant to its domestic 214 authorization granted by operation of law under 47 C.F.R. § 63.01(a), as well as any requisite state authorizations.

II. Notice to Subscribers

In accordance with 47 C.F.R. §§ 63.71(a) and applicable state law, Affiniti notified all affected subscribers of the planned discontinuance of the Discontinued Wireline Services on June 30, 2019. Specifically, Affiniti sent letters via first class U.S. Mail to each of the affected subscribers on or about May 10, 2019, a sample, redacted copy of which is attached hereto.¹ These notices included all the information required by 47 C.F.R. §§ 63.71(a)(1) – (a)(4) as well as the statement applicable to non-dominant carriers set forth in 47 C.F.R. § 63.71(a)(5)(i).

III. Notice to States and the Dept. of Defense

In accordance with 47 C.F.R. 63.71(a), Affiniti has mailed a copy of this Application to the public utility commissions and the Governors of the affected states, as well as to the Secretary of Defense.

IV. Non-Dominant Status

Affiniti is a non-dominant carrier in the local and interexchange services markets.

V. Designated Contacts

Correspondence concerning this Application should be directed to:

Danielle Frappier
Davis Wright Tremaine, LLP
1919 Pennsylvania Avenue, NW, Suite 800
Washington, DC 20006
(202) 973-4242
daniellefrappier@dwt.com

WHEREFORE, Affiniti, LLC and Affiniti PA, LLC respectfully request that the Commission authorize the discontinuance of the Affiniti Discontinued Wireline Services on or

¹ Affiniti has redacted out customer-identifying information.

before June 30, 2019, or 31 days after the Commission releases public notice of this filing, whichever date is earlier.

Respectfully submitted:



By:

Danielle Frappier
Davis Wright Tremaine, LLP
1919 Pennsylvania Ave., NW, Suite 800
Washington, DC 20006
Telephone: (202) 973-4242
Facsimile: (202) 973-4499

Counsel for Affiniti LLC and Affiniti PA, LLC

Dated: May 22, 2019

cc: Governors of Colorado and Pennsylvania
Colorado and Pennsylvania public utility commissions

Secretary of Defense, Pentagon
Attn: Special Assistant for Telecommunications
Washington, DC 20301

Attachment



May 10, 2019



Re: Affiniti Services Contract(s)

Dear Affiniti Customer:

We are writing to you to inform you of upcoming changes at Affiniti, LLC ("Affiniti"). Affiniti is embarking upon a different business venture, and as a result will downsize and re-direct its current core business by reducing its products and services offered. Because of this shift, after 6/30/2019 Affiniti will no longer offer services in the state of Colorado.

While Affiniti has greatly appreciated the opportunity to work with our customers as a partner and provide outstanding customer service, the commoditization of broadband technology and the market saturation of incumbent providers in the region prevent us from continuing to deliver the same quality of service at a competitive price and operating margin. Therefore, it is with a sense of sadness that we write to inform you that we will be ceasing our operations in your state after 6/30/2019.

We recognize that you have submitted your request to terminate all services as of 06/30/2019, Affiniti will be unable to continue services after this date. Refer to your specific contracts listed in this letter.

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of (carrier's name). Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

If you wish to object, you may file your comments with the Federal Communications Commission ("FCC") no later than 30 days from the date the Commission releases



public notice of the proposed discontinuance of service. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding (once the FCC has issued public notice), or you may address them to the Federal Communications Commission, Wireless Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the §63.71 Application of Affiniti, LLC. Comments should include specific information about the impact of this proposed discontinuance upon you and your company, including any concerns regarding inability to acquire reasonable substitute services.

We have greatly appreciated the opportunity to work with you and wish you the best of luck in all future endeavors. Affiniti will make every effort, to the best of its ability, to work with our customers to ensure and create a smooth transition of your service to your new provider(s). Please let us know how we can help.

Kind Regards,

Virginia Bryant
VP of Finance

Attachment: Contracts List



Account	Service	Master Agreement Name	Service Order Name	Agreement End Date

CERTIFICATE OF SERVICE

I hereby certify that on this 22th day of May, 2019, copies of the foregoing Section 63.71

Application was served by first-class mail, postage pre-paid on the following:


Colorado Public Utilities Commission
1560 Broadway
Suite 250
Denver, CO 80202

Office of Governor Jared Polis
136 State Capitol
Denver, CO 80203-1792

Pennsylvania Public Utility Commission
400 North Street
Keystone Bldg.
Harrisburg, PA 17120

Office of Governor Tom Wolf
508 Main Capitol Building
Room 225
Harrisburg, PA 17120

Secretary of Defense
Attn. Special Assistant for
Telecommunications
1000 Defense Pentagon
Washington, DC 20301.



Gina Lee